

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re: SCOTT VINCENT VAN DYKE Debtor(s)	§ § §	CASE NO. 21-60052 Chapter 7
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**DEBTOR’S RESPONSE AND OBJECTION TO MOTION
FOR RELIEF FROM AUTOMATIC STAY**

(Relates to Docket No. 175)

To the Honorable Christopher M. Lopez:

The Debtor, Scott Vincent Van Dyke, hereby files this Response and Objection (the “Response”) to the Motion for Relief from Automatic Stay (the “Motion”) filed by Cadence Bank (“Movant”) and in support, respectfully states as follows:

SUMMARY OF RESPONSE

The Debtor responds in opposition to the Motion filed by Cadence Bank as its collateral, the Debtor’s homestead, is adequately protected through its substantial equity cushion of over \$3,000,000.00. Although the Debtor has not been current on postpetition payments, he believes he will be able to cure the delinquency in payments to Cadence Bank shortly.

1. Debtor admits paragraph 1.
2. Paragraph 2 is a statement of law and does not require a response.
3. Debtor admits paragraph 3.
4. Debtor admits paragraph 4.
5. Debtor admits paragraph 5.
6. Debtor denies paragraph 5.¹
7. Debtor lacks the requisite knowledge to admit or deny paragraph 6.
8. Debtor denies paragraph 7.

¹ In reference to the second paragraph 5 of the Motion that alleges outstanding obligations as of May 20, 2022.

9. Debtor denies paragraph 8.
10. Debtor denies paragraph 9.
11. Debtor denies subsections (a) and (b) of paragraph 10 and opposes the requested relief.
12. Debtor opposes the requested relief in paragraph 1.²
13. Debtor opposes the requested relief in paragraph 2.³
14. Debtor opposes the requested relief in paragraph 3.⁴
15. Debtor opposes the requested relief in paragraph 4.⁵

WHEREFORE, PREMISES CONSIDERED, the Debtor respectfully requests that this Court deny the Motion filed by Cadence Bank and for such further relief as to which Debtor may show himself entitled.

Dated: June 13, 2022

Respectfully submitted,

TRAN SINGH LLP

/s/Susan Tran Adams

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**ATTORNEYS FOR DEBTOR
VINCENT VAN DYKE**

² In reference to the second paragraph 1 of the Motion that requests foreclosure relief.

³ In reference to the second paragraph 2 of the Motion that requests a binding order.

⁴ In reference to the second paragraph 3 of the Motion that requests the waiver of the 14-day stay.

⁵ In reference to the second paragraph 4 of the Motion that requests other relief.

CERTIFICATE OF SERVICE

I hereby certify that on June 13, 2022, a true and correct copy of the foregoing Response was served upon the following interested parties below via CM/ECF:

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/s/Susan Tran Adams

Susan Tran Adams